



U.S. Citizenship  
and Immigration  
Services

63

[REDACTED]

FILE:

[REDACTED]

Office: LOS ANGELES

Date:

OCT 07 2014

IN RE:

Obligor:

Bonded Ali

[REDACTED]

IMMIGRATION BOND:

Bond Conditioned for Voluntary Departure under § 240B of the Immigration and Nationality Act, 8 U.S.C. § 1229c

ON BEHALF OF OBLIGOR: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

*Maui Johnson*

Robert P. Wiemann, Director  
Administrative Appeals Office

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**DISCUSSION:** The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be sustained.

The record indicates that on May 17, 2001, the obligor posted a \$500.00 bond conditioned for his voluntary departure. An order of the immigration judge (IJ) dated May 14, 2001, was issued granting the alien voluntary departure in lieu of removal on or before July 13, 2001. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On October 21, 2003, the BIA dismissed the appeal, and granted the alien voluntary departure within 30 days from the date of the order. On May 10, 2004, the field office director concluded the bond had been breached.

On appeal, the obligor asserts that he is currently the beneficiary of an approved Form I-817, Application for Family Unity Benefits under the Family Unity Program of the Legal Immigration Family Equity (LIFE) Act. The obligor asserts that his renewal Form I-817 application is currently pending.

The regulation at 8 C.F.R. § 245a.34(d) provides that an alien whose application for Family Unity benefits under the LIFE Act Amendments is approved is deemed to receive protection from removal, commencing with the date of approval of the application. A grant of protection from removal under this section shall be considered effective from the date on which the application was properly filed.

The record reflects that on January 9, 2003, the alien's Form I-817 Application for Voluntary Departure under the Family Unity Program was approved. The approval was valid until January 8, 2004. If no evidence has been provided establishing renewal of the alien's voluntary departure status, removal proceedings shall proceed.

**ORDER:** The appeal is sustained. The field office director's decision declaring the bond breached is rescinded and the bond is continued in full force and effect.